

BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT

AND STATEMENT OF CHARGES AGAINST

FRANKLIN L. TEPNER, D.O.,

RESPONDENT.

NOW on this 19th day of July, 1968, the above entitled matter having been filed with the Commissioner of Public Health, on the 19th day of July, 1968, and the undersigned Commissioner of Public Health, having reviewed the file and being fully advised in the premises, FINDS:

1. That respondent has waived notice of time and place of hearing, manner of service of notice and hearing as prescribed by Section 148.7 of the 1966 Code of Iowa, as amended.

2. That the respondent and the State Board of Medical Examiners have agreed and said agreement should be approved, that the order of revocation hereinafter issued shall be subject to the following terms and conditions, in all matters pertaining to revocation and probation of the respondents license to practice as an osteopathic physician in this State.

THEREFORE, IT IS HEREBY ORDERED, that the license and certificate to practice as an osteopathic physician in the State of Iowa, heretofore issued to the respondent, Franklin L. Tepner, D.O. on the 13th day of September, 1962, as evidenced by Certificate No. 1198 and recorded in Book "A", at Page 71 of the permanent records of the Iowa State Department of Health, be, and the same is hereby revoked; provided,

however, that the execution of this Order of Revocation be and the same is hereby stayed for a period of five years upon the following terms and conditions:

1. Respondent is hereby placed on probation for a period of five (5) years.

2. During the period of probation herein fixed, the respondent shall immediately surrender his Federal Narcotic Permit to Paul H. Crews, Secretary-Director, Pharmacy Examiners, Narcotic Division, third floor, Valley Bank Building, Fourth and Walnut Streets, Des Moines, Iowa, and respondent shall not renew nor attempt to renew his Federal Narcotic permit without first securing the written approval of the Board of Medical Examiners.

3. That during the period of probation herein fixed, the respondent shall completely abstain from the use of narcotics, hypnotics and dangerous drugs in any form, except when the respondent is a bona fide patient of a licensed physician and surgeon and the same is lawfully prescribed for him. In the event any said drugs or narcotics are prescribed for respondent, then the respondent shall cause the prescribing physician to inform the Board of Medical Examiners of the nature and the frequency and the necessity of such use.

4. The respondent shall be required to undergo a complete psychiatric and medical examination by a qualified psychiatrist and internist of his choice. The respondent shall direct said examining physicians to furnish the Board of Medical Examiners a complete report of his mental and physical condition within 30 days from the date the Commissioner's order is entered herein. In the event the respondent requires additional psychiatric and/or mental treatment the respondent shall be required to obtain such treatment from a psychiatrist and/or

internist of his choice, on an appointment basis, at such intervals and at such times as the said psychiatrist and/or internist shall recommend, but not less than one appointment every three months, until discharged as cured.

While the respondent is under the care and treatment of said internist and psychiatrist, he shall direct said physicians to furnish this board with quarterly reports as to his progress and rehabilitation from his problems and their first report shall be due three months from the date the Commissioner's Order is entered herein.


5. During the period of probation herein fixed, the Board of Medical Examiners may at its discretion, order the respondent to submit to an examination by a physician designated by the Board as to his physical or mental condition. The order shall specify the scope, time, place and manner of the examination and name the examiner. The respondent thus examined shall furnish the Board of Medical Examiners a complete report of the examiners findings and conclusions stated in detail. The respondent shall waive any privileged communication with regard to the said examination.

6. Respondent shall report in person to the Board of Medical Examiners at its regular annual meeting held in Iowa City, Iowa commencing in 1969, and for each year thereafter, during said period of probation.

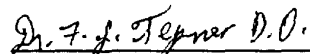
7. Respondent shall comply with all the laws of the United States, the State of Iowa and its political subdivisions and the rules and regulations of the Board of Medical Examiners.

8. Respondent shall file with the Board of Medical Examiners at quarterly intervals an affidavit to the effect that he has fully and faithfully complied with all the terms and conditions of probation imposed herein.

That upon full compliance with the terms and conditions herein set forth, and upon expiration of the term of probation, respondent's said license shall be restored to its full privileges, free and clear of the terms of probation herein imposed; provided, however, that in the event respondent violates or fails to comply with any of the terms or conditions of this order during said period of probation, the Board upon receipt of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke said stay of execution and direct that the order of revocation herein made shall be immediately effective.



James F. Speers, M.D.
Commissioner of Public Health
Robert Lucas Building
Des Moines, Iowa 50319



Approved as to form